

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES J. O'HAGAN,

Plaintiff,

CASE NO. C12-5179BHS

V.

GREGORY URSICH, et al.,

ORDER TO SHOW CAUSE

Defendants.

This matter comes before the Court on review of Plaintiff James J. O’Hagen’s (“O’Hagen”) complaint (Dkt. 1).

On March 1, 2012, O’Hagen filed a complaint against various defendants. *Id.* The majority of the defendants appear to be private parties, one defendant appears to be a state court judge, and one defendant is a federal bankruptcy judge. *Id.* O’Hagen asserts that the Court has jurisdiction under 42 U.S.C. § 1983; various sections of the federal criminal code, 18 U.S.C. § 1, *et seq.*; and 11 U.S.C. § 548. *Id.*

If the Court determines at any time that it lacks subject-matter jurisdiction, the Court must dismiss the action. Fed. R. Civ. P. 12(h)(3). The Court does not have jurisdiction over O'Hagen's civil suit under either the criminal codes or the bankruptcy code. With regard to 42 U.S.C. § 1983, it appears the only defendant acting under color of law is the state court judge. Judges, however, are entitled to absolute immunity.

Taggart v. State, 118 Wn.2d 195, 203 (1992). Therefore, the Court finds that O'Hagen

1 has failed to show that this Court has subject matter jurisdiction over the allegations in his
2 complaint.

3 O'Hagen must show cause why this Court may have subject matter jurisdiction no
4 later than March 24, 2012. Failure to respond will result in **DISMISSAL** of his
5 complaint.

6 **IT IS SO ORDERED.**

7 DATED this 7th day of March, 2012.

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11 BENJAMIN H. SETTLE
12 United States District Judge
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